

**UNITED STATES DISTRICT COURT
District of Connecticut**

**ELECTRONIC FILING
POLICIES AND PROCEDURES**

Rev.3/28/2008

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INTRODUCTION

The U.S. District Court for the District of Connecticut permits attorneys in selected civil and criminal cases to file documents with the court from their own offices over the internet using the Case Management/Electronic Case Filing System ("CM/ECF System"). The court strongly encourages parties and their counsel to participate in electronic filing. While parties and pro se litigants may register to receive "read only" electronic filing accounts to access documents in the CM/ECF System and receive electronic notice, only registered attorneys, as officers of the court, will be permitted to file electronically at this time.

I. THE ELECTRONIC FILING SYSTEM

A. Authorization for Electronic Filing

The Electronic Filing Administrative Policies and Procedures, Local Rule of Civil Procedure 5 and Local Rule of Criminal Procedure 1(c) authorize electronic filing in conjunction with Federal Rule of Civil Procedure 5(e) and Federal Rule of Criminal Procedure 49. Pursuant to the Electronic Filing Administrative Policies and Procedures, the following policies and procedures govern electronic filing in this district unless, due to extraordinary circumstances in a particular case, a judicial officer determines that these policies and procedures should be modified in the interest of justice.

B. Definitions and Instructions

The following definitions and instructions shall apply to these Policies and Procedures for Electronic Filing:

1. The term "document" shall include pleadings, motions, exhibits, declarations, affidavits, memoranda, papers, orders, notices, and any other filing by or with the Court.
2. The term "party" shall include counsel of record and a pro se litigant.
3. All hours stated shall be Connecticut time.
4. A "filing level account" permits access to electronic cases for viewing and filing documents electronically.
5. A "Read only" level account is restricted to view only access of electronic docket sheets and documents, with certain exceptions.

6. As used in these administrative procedures, a “conventionally” or “traditionally” filed or submitted document or pleading is one presented to the Court or a party in paper or other non-electronic, tangible format.
7. As used in these procedures, “electronically filed” is intended to refer to documents filed by counsel over the internet.

C. Application of Rules and Orders

Unless modified by approved stipulation or order of the Court, all Federal Rules of Civil Procedure, Federal Rules of Criminal Procedure, Local Rules, and orders of the Court shall continue to apply to cases selected for electronic filing.

D. Designation of Cases

Electronic filing over the internet will be permitted when the Court, on its own initiative, designates a case as electronically filed or, with Court approval, in cases in which all counsel of record have consented to this method of filing. Pro Se, Prisoner, and Social Security cases are currently exempt from e-filing. Counsel may express their interest as early as the filing of the action by joint notification to the judicial officer as part of the Parties Planning Conference Report filed pursuant to Local Rule 26(f). The judicial officer may designate the case for electronic filing at any time.

E. System Requirements

While the CM/ECF System requirements may be set forth more completely in a User’s Manual or other Court publication, it is expected that the following hardware and software will be needed to electronically file, view and retrieve documents in the CM/ECF System:

1. A personal computer running a standard platform such as Windows 2000 or Windows XP.
2. An internet provider using Point to Point Protocol (PPP)
3. Internet Explorer Version 6.0 or higher or FireFox version 1.5 or higher.
4. Software to convert documents from a word processor format to portable document format (PDF)

5. Adobe Acrobat Reader for viewing documents using a “read only” account
6. Access to a scanner if non-computerized documents need to be imaged
7. A Public Access to Court Electronic Records (“PACER”) system account to view docket sheets and electronically filed documents [NOTE: PACER facilitates electronic access and is the primary interface with the CM/ECF System, to view docket sheets and other case information. It also allows access to images of Court documents, if the documents have been electronically filed and are in the category of documents viewable by the public. All electronic public access to case dockets and documents occurs through PACER. Upon receipt of a Notice of Electronic Filing (NEF), users are permitted one free view of the document within 15 days of filing. Beyond the 15 day period, appropriate charges will be billed.]

F. General Format of Documents Filed Electronically or Submitted on Computer Disk

1. Requirements

Documents filed electronically or submitted on computer disk must meet the requirements of Fed. R. Civ. P. 10 (Form of Pleadings), Local Rule of Civil Procedure 5 (Service and Filing of Pleadings and Other Papers), Local Rule of Civil Procedure 10 (Preparation of Pleadings), and Local Rule of Civil Procedure 40 (Assignments), as if they had been submitted on paper. Documents filed electronically are also subject to any page limitations set forth by Court order or by Local Rule of Civil Procedure 7 (Motion Practice).

2. Font

As part of the National Archives and Records Administration's (NARA) electronic government (E-Gov) initiative and to facilitate preservation processing and future access to electronic records, electronic records that have been converted to PDF from other electronic word processing software must include embedded fonts to guarantee the visual reproduction of all text as created. All fonts embedded in PDF records must be publicly identified as legally embeddable (i.e., font license permits embedding) in a file for unlimited, universal viewing and printing. PDF records that reference fonts other than the "base 14 fonts" must have those fonts referenced in the record (i.e., as a minimum, subsets of all referenced fonts) embedded within the PDF file.

The base 14 fonts are: Courier (Regular, Bold, Italic, and Bold Italic), Arial MT (Regular, Bold, Oblique, and Bold Oblique), Times New Roman PS MT (Roman, Bold, Italic, and Bold Italic), Symbol, and ZapfDingbats.

3. Form

A key objective of the CM/ECF System is to ensure that as much of the case as possible is filed electronically. Documents filed electronically or submitted on computer disk must not exceed 5 mb (5000 kb) in size or, if larger, must be broken into multiple parts. For example, most filings include a primary or main document (e.g., motion) and other supporting items (e.g., memorandum and exhibits). The primary document and each of the supporting documents are deemed separate components of the filing, and each component, i.e., document, is uploaded separately in the filing process. Any document having an electronic file size that exceeds 5 mb (5000 kb) cannot be filed electronically, either over the internet or on computer disk and must, instead, be filed in paper accompanied by a Notice of Manual Filing. The Notice of Manual Filing must be filed both electronically and in paper, to provide notice that something could not be filed over the internet.

The following example illustrates the application of this section.

Counsel seeks to file a motion, a memorandum in support and two exhibits. The motion, memorandum and one of the exhibits are text documents, created in a word processor then published to PDF. In their final form, each document is less than 5 mb. The second exhibit is a photograph and when scanned, is 8 mb, which is too large to file electronically.

When counsel electronically files the documents over the internet, counsel will file the motion, the memorandum in support, the text exhibit and a Notice of Manual Filing to alert the public that one item (the photograph) is filed in paper, not electronically. Counsel must physically send the Notice of Manual Filing, the photograph, and a copy of the Notice of Electronic Filing to the clerk's office for filing. Counsel must also serve on opposing counsel a copy of the Notice of Electronic Filing (to document that the other pieces were filed electronically), the Notice of Manual Filing and a copy of the photograph.

II. CONSEQUENCES OF FILING DOCUMENTS ELECTRONICALLY

Electronic transmission of a document consistent with the procedures adopted by the Court shall, upon the receipt of the document by the clerk of court, constitute filing of the document for all purposes of the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure and the Local Rules of this court, and shall constitute entry of that document onto the docket maintained by the clerk pursuant to Fed. R. Civ. P. 58 and 79, and Fed. R. Crim. P. 49 and 55.

When a document has been filed electronically, the official record is the electronic recording of the document as stored by the court, and the filing party is bound by the document as filed. A document filed electronically is deemed filed at the date and time stated on the Notice of Electronic Filing generated from the court.

A receipt acknowledging that the document has been filed will be generated by the Court's server. This receipt should be printed as evidence of the date and time of filing. Counsel can verify the filing of documents by inspecting the Court's electronic docket sheet. In the event a document is inappropriately filed, upon proper notification or motion to the court, the clerk's office will make a correction to the docket noting any necessary changes. Notice will be sent to all counsel of record in the event of any material change to an entry submitted by counsel.

Documents filed electronically must be submitted in PDF format, except as provided in Section XIII pertaining to proposed orders.

Filing documents electronically does not alter any filing deadlines. All electronic transmissions of documents must be completed (*i.e.*, received by the clerk's office as evidenced by a Notice of Electronic Filing) prior to midnight in order to be considered timely filed that day. Although documents can be filed electronically 24 hours a day, counsel are strongly encouraged to file all documents during normal working hours of the clerk's office (9:00 a.m. to 4:00 p.m.) when assistance is available.

III. ELECTRONIC DOCKET

Upon the filing of a document, a docket entry will be created using the information provided by the filing counsel. The clerk of court will, where necessary and appropriate, modify the docket entry description to comply with quality control standards.

A. Title of Docket Entries

The party electronically filing a pleading or other document shall be responsible for designating a docket entry title for the document by using one of the docket event categories prescribed by the court.

B. Correcting Docket Entries

1. Once a document is filed and becomes part of the case docket, corrections to the docket are made only by the clerk's office or at the direction of the clerk's office. The CM/ECF System will not permit the filing party to make changes to the documents or docket entry filed in error once the transaction has been accepted.
2. A document incorrectly filed in a case may be the result of posting the wrong PDF file to a docket entry, or selecting the wrong document type from the menu, or entering the wrong case number and not catching the error before the transaction is completed. The filing party should call the clerk's office for instructions on what steps should be taken to make a correction.
3. If counsel discover an error before the entry is reviewed by the clerk's office, counsel should contact the clerk's office with the case number and document number of the error. If appropriate, the clerk's office will make an entry indicating that the document was filed in error. The filing party will be advised *if* the document needs to be refiled.

C. Privacy

To address the privacy concerns created by internet access to court documents, litigants should not include sensitive information in any document filed with the court unless such inclusion is necessary and relevant to the case [see Appendix G (civil cases) and Appendix H (criminal cases)]. If sensitive information must be included, the following personal data identifiers must be partially redacted from the pleading whether it is filed traditionally or electronically:

1. Names of minor children to the initials;
2. Financial account numbers to the last four digits;
3. Social Security numbers to the last four digits; and
4. Dates of birth to the year.
5. Home address to City and State.

In compliance with the E-Government Act of 2002, a party wishing to file a document containing the personal data identifiers specified above may file an unredacted document under seal, which shall be retained by the court as part of the record. In lieu of an unredacted copy filed under seal, a party may file a reference list, which must be filed under seal. The reference list shall contain the complete personal data identifier(s) and the redacted identifier(s) used in its (their) place in the filing. All references in the case to the redacted identifiers included in the reference list will be construed to refer to the corresponding complete identifier. The reference list may be amended as of right. It shall be retained by the court as part of the record. The court may, however, still require the filing party to file a redacted copy of the reference list for the public file. In addition, counsel are encouraged to exercise caution when filing documents that contain the following:

- personal identifying number such as a driver's license number;
- medical records, treatment and diagnosis;
- employment history;
- individual financial information; and
- proprietary or trade secret information.

IV. SYSTEM AVAILABILITY

The Court's CM/ECF System is designed to provide service 24 hours a day. Counsel, however, are encouraged to file documents in advance of filing deadlines and during normal business hours.

The clerk's office staff has been trained to respond to questions regarding the CM/ECF System and the registration process. Assistance can be provided from 9:00 a.m. to 4:00 p.m. during any day on which the court is open for business. After-hours voice mail messages may be left at Bridgeport (203-579-5585), New Haven (203-773-2415) or Hartford (860-240-3311).

V. PUBLIC ACCESS TO THE ELECTRONIC DOCKET

A. Internet Access Without a Password

Any person or organization with a PACER login and password may access the CM/ECF System at the Court's internet site at <https://ecf.ctd.uscourts.gov/>. Such access to the CM/ECF System through the internet site will allow retrieval of the docket sheet and documents on a real-time basis. Unless a user has a CM/ECF System filing level account, access to the CM/ECF System will be on a "read only" basis.

1. Public remote electronic access to the CM/ECF System for read only purposes is limited to subscribers to the Public Access to court Electronic Records ("PACER") system. The Judicial Conference of the United States has ruled that a user fee will be charged for remotely accessing certain detailed case information, such as docket sheets and filed documents in civil cases, but excluding review of calendars and similar general information.¹ Information regarding the current PACER fees is available on the PACER website at <http://pacer.psc.uscourts.gov>.
2. The public can access records in criminal cases not filed under seal or ex parte for any documents filed on or after November 1, 2004. Access to criminal case records filed on or before October 31, 2004 is restricted to counsel of record in the criminal case.

B. Public Access at the Court

Public access to electronic documents that are not sealed or filed ex parte, and to the electronic docket is available in the clerk's office between 9:00 a.m. and 4:00 p.m. Monday through Friday.

C. Copies and Certified Copies

Copies of electronically filed documents may be purchased at the clerk's office during business hours Monday through Friday. The fees for copying and certification will be charged in accordance with 28 U.S.C. § 1914(b).

D. Technical Failures

If counsel is unable to file electronically and, as a result, may miss a filing deadline, counsel must immediately contact the appropriate Help Desk to inform the clerk of court of the difficulty. If the problem occurs after hours, a voice message must be left on the appropriate help desk line. If counsel misses a filing deadline due to an inability to file electronically, counsel may electronically submit the untimely filed document, accompanied by a

¹The access fee does not apply to official recipients of electronic documents, i.e., parties legally required to receive service or to whom service is directed by the filer in the context of service under Federal Rules of Civil Procedure. Official recipients will receive the initial electronic copy of a document free to download as they see fit, but if they remotely access the document again, they will be charged the applicable access fee.

declaration stating the reason(s) for missing the deadline. The document and declaration must be electronically filed no later than 12:00 noon of the first day on which the court is open for business following the original filing deadline. A model form is provided in Appendix A.

VI. REGISTRATION AND EMAIL NOTIFICATION

A. EMAIL Notification

As required by this Court's local rules, all counsel and pro se parties are to include an email address, if available, as part of the signature line on filings. Email addresses are captured from filings and added to the CM/ECF System to allow the court to provide electronic notice of orders, rulings and docket activity. The use of email addresses for court notifications does not permit a party to e-file in the absence of a registration and court order designating e-filing in a particular case.

B. Completion of Registration Form

Counsel seeking to file documents electronically must submit a completed Electronic Filing System Registration form (Appendix B) prior to being assigned a user identification name and password that will serve as that counsel's signature for Fed. R. Civ. P. 11 purposes. The form is available in hard copy at the clerk's office and is also available on the Court's website at www.ctd.uscourts.gov/cmecf. The completed Registration Form must be signed by the registrant and addressed to:

Roberta D. Tabora, Clerk
United States District Court
Attention: Electronic Filing System Registration
141 Church Street
New Haven, Connecticut 06510

or faxed to : 203-773-2424

C. Confirmation of E-Mail Address and Password

To ensure that the clerk's office has correctly entered a registering attorney's internet e-mail address in the CM/ECF System, the clerk's office will send the attorney an internet e-mail message after assigning the attorney a password. The clerk's office will then send the attorney's login and password information to the email address on record or, if requested

by the attorney, mail the password information to the attorney by regular, first-class mail or arrange for the attorney to pick up the information at the clerk's office.

D. Withdrawal from the CM/ECF System

Once registered, an attorney may withdraw from participating in the CM/ECF System by providing the clerk's office with notice of withdrawal. Such notice must be in writing, and mailed or delivered to the clerk's office in New Haven. Upon receipt, the clerk's office will immediately cancel the attorney's password and delete the attorney's name from any applicable electronic service list.

E. Passwords

Each attorney admitted to practice in the District of Connecticut shall be entitled to one CM/ECF System password from the district court. The password permits the attorney to participate in the electronic retrieval and filing of pleadings and other papers.

1. The court will issue passwords only to attorneys in good standing. To be in good standing, an attorney must meet the requirements in Local Rule of Civil Procedure 83.1.
2. After registering, attorneys are not to change their login names; however, they may change their passwords. If an attorney comes to believe that the security of an existing password has been compromised, the attorney must change his or her password and immediately notify the clerk's office by telephone. Counsel may be subject to sanctions for failure to comply with this provision.
3. No attorney shall knowingly permit or cause to permit his or her password to be utilized by anyone other than an authorized employee of his or her office.
4. Once registered, the attorney shall be responsible for all documents filed with his or her password.
5. Registration for a password is governed by Paragraph B.
6. An attorney admitted pro hac vice may register for a password in accordance with these Administrative Procedures.

VII. ELECTRONIC FILING AND SERVICE OF DOCUMENTS

A. Filing - Civil Cases

1. Complaints shall be filed, fees paid, and summonses issued and served in the traditional manner on paper rather than electronically.
2. Any document requiring a filing fee must be filed in paper and be accompanied by a PDF version of the document on computer disk. Documents requiring filing fees may not be filed over the internet.
3. All documents filed in paper must also be submitted in PDF form on computer disk, unless the document(s) cannot be reduced to the allowable electronic filing size.
4. If the case is designated as electronically filed, only documents that cannot be reduced to the allowable size may be filed in paper. Any documents filed in paper pursuant to this provision must be accompanied by a Notice of Manual Filing explaining why the document(s) is (are) not filed over the internet.
5. If an attorney is unable to create or otherwise produce PDF documents on computer disk and must, therefore, file documents in paper, the attorney may apply to the assigned judge for permission to file documents conventionally. Even if the assigned judge initially grants an attorney permission to file documents conventionally, the assigned judge may withdraw that permission at any time during the pendency of a case.
6. The clerk's office or any judge of this court may deviate from these procedures in specific cases, without prior notice, if deemed appropriate in the exercise of discretion, considering the need for the just, speedy, and inexpensive determination of matters pending before the court. The court may also amend these procedures at any time without prior notice.
7. A document will be deemed timely filed if filed prior to midnight. However, if the assigned judge so orders, the document shall be filed by a time certain.
8. The official court record shall be the electronic file maintained on the Court's servers. The official record shall include, however, any

conventional documents or exhibits filed in accordance with these procedures or if required by court rules or policies.

B. Filing - Criminal Cases

1. All charging documents including the complaint, information, indictment and superseding indictment, shall be filed either in the traditional manner in paper accompanied by a computer disk containing a PDF version of the document or a scanned document that contains an image of any legally required signature.
2. Any document requiring a filing fee must be filed in paper and be accompanied by a PDF version of the document on computer disk. Documents requiring filing fees may not be filed over the internet.
3. All documents filed in paper must also be submitted in PDF form on computer disk, unless the document(s) cannot be reduced to the allowable electronic filing size.
4. If the case is designated as electronically filed, only documents that cannot be reduced to the allowable size may be filed in paper. Any documents filed in paper pursuant to this provision must be accompanied by a Notice of Manual Filing explaining why the document(s) is (are) not filed over the internet.
5. Juvenile criminal matters shall not be filed electronically over the internet, unless after hearing, the court rules that the juvenile shall be tried as an adult. Any documents filed in these cases are to be filed in paper, accompanied by a computer disk containing a PDF version of the document being filed.
6. Documents filed under seal or filed in sealed cases are to be submitted in paper accompanied by a computer disk containing a PDF version of the document being filed. Documents filed under seal or filed in sealed cases are not to be filed over the internet.
7. Access to records in criminal cases not filed under seal or ex parte, will be available to the general public for any documents filed on or after November 1, 2004. Access to documents filed on or before October 31, 2004 is restricted to counsel of record in the criminal case.

8. If an attorney is unable to create or otherwise produce PDF documents on computer disk and must, therefore, file documents in paper, the attorney may apply to the assigned judge for permission to file documents conventionally. Even if the assigned judge initially grants an attorney permission to file documents conventionally, the assigned judge may withdraw that permission at any time during the pendency of a case.
9. The clerk's office or any judge of this court may deviate from these procedures in specific cases, without prior notice, if deemed appropriate in the exercise of discretion, considering the need for the just, speedy, and inexpensive determination of matters pending before the court. The court may also amend these procedures at any time without prior notice.
10. A document will be deemed timely filed if filed prior to midnight. However, if the assigned judge so orders, the document shall be filed by a time certain.
11. The official court record shall be the electronic file maintained on the Court's servers. The official record shall include, however, any conventional documents or exhibits filed in accordance with these procedures or if required by court rules or policies.

C. Service and Notice of Electronically Filed Documents

The court, through the capture of email addresses provided as required by the local rules, will provide electronic notification of court activity to any party having an email address in the CM/ECF System. Upon registration and the assignment of a login and password, attorneys consent to the electronic notice and service of all documents, and shall make available e-mail addresses for service. (See instructions for Setting Up E-mail Notification in Appendix C.) Pro se litigants may consent to electronic notice from the court or may consent to electronic service by counsel, by completing the required consent form available at the clerk's office [Appendix D]. Upon the electronic filing of a document by counsel, the CM/ECF System will automatically generate a Notice of Electronic Filing at the time the document is filed with the CM/ECF System. The NEF is sent to all parties registered to receive filings electronically and contains an electronic link (hyperlink) to the filed document, allowing anyone receiving the NEF to retrieve the document through a PACER account. The NEF must be served on any party not having an email address on record with the court, by e-mail, by hand, by facsimile, or by first-class mail postage prepaid. In addition to receiving e-mail notifications of filing activity, counsel are strongly encouraged to sign on to the CM/ECF System at regular intervals to check the docket in their case.

To meet the current requirements of Fed. R. Civ. P. 5, a certificate of service, in the form provided below and in Appendix E, must be included with all documents filed electronically. Such certificate shall indicate that counsel has complied with the electronic filing requirements of the court and has served any counsel or parties unable to accept electronic notice and service. Documents filed in cases that have not been designated as e-filed cases, must contain a certificate of service in the form required by this Court's Local Rule 5(b).

Electronic service of the Notice of Electronic Filing constitutes service of the filed document pursuant to Fed. R. Civ. P. 5(b)(2)(d) and Fed. R. Crim. P. 45(c) and entitles counsel being served to the additional 3 days provided by Fed. R. Civ. P. 6(e).

The following certificate of service should be used in cases designated for electronic filing:

Certificate of Service

I hereby certify that on [insert date here], a copy of foregoing [insert the name of document being filed] was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's CM/ECF System.

/s/ [Insert Name of Registered Attorney Making Filing]

Name of Attorney [attorney's federal bar number]

Address

City, State, Zip Code

Phone: (xxx) xxx-xxxx

Fax: (xxx) xxx-xxxx

E-mail: xxx@xxx.xxx

VIII. MANUAL FILINGS

Counsel otherwise participating in the CM/ECF System may be excused from electronically filing a particular document under certain limited circumstances, such as when the document cannot be reduced to an electronic format or exceeds the file size limit described in Section I. F. Documents unable to be filed electronically shall be manually filed with the clerk of court and served upon the parties in accordance with the applicable Federal Rules of Civil Procedure and the Local Rules for filing and service of non-electronic documents. Counsel manually filing a document shall electronically file a Notice of Manual Filing in the form provided in Appendix F, identifying the document being filed in paper and setting forth the reason(s) why the document cannot be filed electronically. If the reason for the manual filing is not due to size restrictions, but rather, is because the document is being filed ex parte or under seal, counsel shall submit a computer disk containing a PDF version of the document being filed.

IX. EXCEPTIONS TO ELECTRONIC FILING OVER THE INTERNET

The court has directed that the following types of documents not be filed electronically over the internet but instead that they be filed in paper, without a PDF version on computer disk, and served pursuant to Fed. R. Civ. P. 5(a) in the traditional manner:

- A. Social Security Administrative Records;
- B. Medical Records;
- C. Documents or exhibits that cannot reasonably be converted to the required PDF format;
- D. Documents that exceed 5 mb; or
- E. Individual Party Consents to Proceed Before a U.S. Magistrate Judge.

The following documents are to be filed and served in the traditional manner in paper, accompanied by a computer disk containing a PDF version of any document filed, along with any applicable filing fee, unless otherwise directed by the court:

- A. Initial Complaint, Petition, Notice of Removal, initial charging documents in criminal cases;
- B. Application for Admission *Pro Hac Vice*;
- C. Notice of Appeal;
- D. Sealed and *in-camera* Documents

X. TRANSCRIPTS

As of May 15, 2008 Transcripts will be electronically filed in the CM/ECF system in accordance with this District's Policy on Availability of Transcripts of Court Proceedings.

XI. SIGNATURES

A. General

Documents that must contain original signatures, or that require either verification or an unsworn declaration under any rule or statute, shall be filed electronically over the internet or in PDF format on computer disk, with originally executed copies maintained by the filer. The pleading or other document electronically filed shall indicate a signature, e.g., "/s/Jane Doe."

B. Attorney Signature

Counsel's identification name and password shall constitute counsel's signature for purposes of Fed. R. Civ. P. 11, the Federal Rules of Criminal Procedure and any other purpose for which a signature is required on a document in connection with proceedings before the court. All documents filed electronically over the internet, or filed on computer disk in PDF format, shall include a signature block in compliance with Local Rule of Civil Procedure 10 and the attorney's typewritten name, address, telephone number, federal bar number and e-mail address.

In addition, the name of the password registrant under whose password the document is submitted should be preceded by a "/s/" or "s/" or "/s" and typed in the space where the signature would otherwise appear, for example:

/s/ [Name of Password Registrant]
Name of Password Registrant [attorney's federal bar number]
Address
City, State, Zip Code
Phone: (xxx) xxx-xxxx
Fax: (xxx) xxx-xxxx
E-mail: xxx@xxx.xxx

C. Other Signatures

Several documents may require the signature of non-attorneys, such as documents signed by a grand jury foreperson, a defendant or plaintiff, an affiant, a third-party custodian, a United States Marshal, an officer from Probation, or some other federal officer or agent. Counsel may submit these documents, in PDF format, as scanned documents containing the signature or as PDF documents containing a “/s/” signature. In the latter instance, counsel shall retain the originally executed document containing the signature. In cases where counsel cannot create PDF documents, the clerk’s office will scan these documents and upload the electronic version, including signatures, to the CM/ECF System.

A document containing the signature of a defendant in a criminal case may at the Court’s option be filed either in paper form or in a scanned format that contains an image of the defendant’s signature.

D. Multiple Signatures

Documents requiring signatures of more than one attorney shall be filed either by submitting a scanned document containing all necessary signatures; by representing the consent of the other attorneys on the document; by filing the document identifying the attorneys whose signatures are required and by the submission of a notice of endorsement by the other attorneys no later than three business days after filing, or in any other manner approved by the court. In the case of a stipulation or other document to be signed by two or more persons, the filing party or attorney shall retain the hard copy of the document containing the original signature for period of time provided for in Section XV of this administrative order.

XII. ORDERS

All orders, decrees, judgments and proceedings of the court will be filed in accordance with these rules, which will constitute entry on the docket kept by the clerk. Any order signed electronically by a judge or by the clerk or the clerk’s designee has the same force and effect as if the judge or clerk had affixed the judge’s or clerk’s signature to a paper copy of the order and it had been entered on the docket in a conventional manner.

A. Electronic Submission of Proposed Orders

Electronic submission of proposed orders is to be done in the manner or method as required by the presiding judge. Proposed orders may be submitted electronically as an attachment to the motion.

B. Orders Entered by the Court

If a judge during a hearing enters an order in paper, notice of the order will be distributed electronically after the hearing. If an oral order is entered, an entry will be placed on the docket and distributed electronically.

When mailing paper copies of an electronically filed order to a party who is not a registered participant of the CM/ECF System, the clerk's office will include the Notice of Electronic Filing to provide the non-participant with proof of the filing.

The assigned judge or the clerk's office, if appropriate, may grant routine orders by a text-only entry upon the docket. In such cases, no PDF document will issue; the text-only entry shall constitute the Court's only order on the matter. The CM/ECF System will generate a "Notice of Electronic Filing" as described in Section II of these procedures.

XIII. SEALED

A. Sealed Documents

The filing of documents under seal is governed by Local Rule of Civil Procedure 5(e) and Local Rule of Criminal Procedure 57(b) which permits such filings only with prior leave of the judicial officer. Sealed documents are to be filed in paper accompanied by a computer disk containing a PDF version of the document. Counsel are not permitted to file sealed documents electronically over the internet.

XIV. TRIAL EXHIBITS

Exhibits filed with the clerk's office pursuant to Local Rule of Civil Procedure 83.6 will not be filed electronically over the internet or on computer disk. Counsel submitting the exhibits may be required to resubmit the documents in electronic format once they are admitted into the public record.

XV. RETENTION OF ORIGINALS OF DOCUMENTS REQUIRING SCANNING

Originals of documents requiring scanning to be filed electronically must be retained by the filing party and made available, upon request, to the court and other parties for a period of five years following the expiration of all time periods for appeals or statutes of limitation. If and when a record on appeal is requested, until such time as the Second Circuit accepts electronic filings, counsel will be required to produce the record on appeal in paper.

XVI. ADDITIONAL INFORMATION

Additional information regarding electronic filing can be obtained by calling the Help Desks at 203-579-5861 (Bridgeport), 203-773-2140 (New Haven), or 860-240-3200 (Hartford), or by writing to:

Roberta D. Tabora, Clerk
United States District Court
141 Church Street
New Haven, Connecticut 06510

APPENDIX A

SAMPLE NOTICE OF UNTIMELY FILING DUE TO TECHNICAL DIFFICULTIES

Instructions: Where noted, counsel should insert the names of the plaintiff(s) and defendant(s), the name of the party filing the Notice, the appropriate case number, the title of the document, the missed deadline and the reasons why the filing could not be made in a timely basis.

Plaintiff [insert name here]	)	Case No. [insert your case number
	)	and initials of the presiding judge]
v.)	
)	
Defendant [insert name here]	)	Declaration that Party was Unable to
	)	File in a Timely Manner
	)	Due to Technical Difficulties

Please take notice that **[insert Name of Party]** was unable to file the attached **[insert Title of Document]** in a timely manner due to technical difficulties. The deadline for filing the **[insert Title of Document]** was **[insert Filing Deadline Date]**. The reason(s) that I was unable to file the **[insert Title of Document]** in a timely manner and the good faith efforts I made prior to the filing deadline to both file in a timely manner and to inform the court and the other parties that I could not do so are set forth below.

[Insert your explanation here, describing your reasons and good faith efforts to file and to inform of the difficulties in filing (including dates and times)]

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted,

/s/ [Name of Password Registrant]

Name of Password Registrant [attorney's federal bar number]

Address

City, State, Zip Code

Phone: (xxx) xxx-xxxx

Fax: (xxx) xxx-xxxx

E-mail: xxx@xxx.xxx

APPENDIX B
ELECTRONIC FILING ATTORNEY REGISTRATION FORM
UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT
Rev. 10/01/2007

This form is used to register for an account on the District of Connecticut Electronic Filing System (the CM/ECF System). Registered attorneys are permitted to electronically file documents and, **in conjunction with a PACER access account**, to view the electronic docket sheets and documents. Procedures for using the CM/ECF System can be downloaded from the court's website at www.ctd.uscourts.gov/cmecf. To register, the following information is required:

PLEASE TYPE OR CLEARLY PRINT
(IF WE CANNOT READ YOUR FORM IT WILL BE RETURNED TO YOU UNPROCESSED)

First Name: _____ Middle Name: _____

Last Name: _____ If appropriate check one: ()Sr. ()Jr. ()II ()III

Are you currently in good standing in all courts in which you are admitted to practice? Yes _____ No _____

Firm Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Voice Telephone Number: (____) _____ Fax Number: (____) _____

E-Mail Address (REQUIRED): _____

Attorneys seeking to file documents electronically must be admitted to practice in the United States District Court for the District of Connecticut pursuant to Local Rule of Civil Procedure 83.1.

Date admitted to practice in this court: _____ Federal Bar Number: _____

If admitted pro hac vice: Date motion for pro hac vice granted: _____ in case number: _____

If Attorney of Record in MDL action indicate case number: _____

By submitting this registration form, the undersigned agrees to abide by all court rules, orders and policies and procedures governing the use of the CM/ECF System. The undersigned also consents to receiving notice of filings pursuant to Fed. R. Civ. P. 5(b) and 77(d) via the Court's electronic filing system. The combination of user id and password will serve as the signature of the attorney filing the documents. Attorneys must protect the security of their passwords and immediately notify the court if they learn that their password has been compromised. Electronic filing is only permissible in cases approved by the court.

Signature of Registrant

Date

FAX COMPLETED REGISTRATION FORM TO (203) 773-2424

or send by regular mail to:

Roberta D. Tabora, Clerk
United States District Court
Attention: Electronic Filing System Registration
141 Church Street
New Haven, CT 06510

Once your registration is processed, you will receive an email confirmation containing your user id and password. Should you misplace or forget your password, it can be provided by e-mail, in person or by U.S. mail - it will not be provided by telephone. If you have any questions concerning the registration process or the use of the CM/ECF System, please contact the clerk's office.

APPENDIX C

Maintaining Email Settings

In Maintain Your Account→**E-mail Information** or Maintain E-mail Information, after the user enters an e-mail address in the proper format (a@b.c), the main options for that e-mail address appear.

Main Options for Primary E-Mail Address

Email Information for Rene Descartes					
Primary E-mail Address	Format	Delivery Method	Active	In All My Cases	Additional Options
rene_descartes@planetlaw.com	HTML	Individual NEF	Yes	Yes	Click to Show/Hide Options
<div>Add Additional E-mail Address Return to Person Information Screen Clear</div>					

To add additional cases to the list for this e-mail address, the user must select **Additional Cases** from the *Additional Options* dropdown list. Then, the user can select **Add** from the *Additional Cases to Receive NEFs* dropdown list that appears.

Add Additional Cases to Receive NEFs

Email Information for Rene Descartes					
Primary E-mail Address	Format	Delivery Method	Active	In All My Cases	Additional Options
rene_descartes@planetlaw.com	HTML	Individual NEF	Yes	Yes	Additional Cases
<div>Add Additional Cases to Receive NEFs</div> <div><div>Add</div><div>Enter case number and click Add to List</div></div> <div>Add Additional E-mail Address Return to Person Information Screen Clear</div>					

When the user enters a case number, if there is more than one case for the year and number entered, a pop-up window appears. The user is prompted to select the correct case from the list in the pop-up window. If the case number entered in the *Enter case number* field is not a valid case, a pop-up window appears stating such.

Select Appropriate Case Pop-up Window

There is more than one case that matches the number entered; select the appropriate case below.	
<input type="checkbox"/>	1:05-cr-70001-AR&F-BF - USA v. Leibnitz
<input type="checkbox"/>	4:05-cr-70001-CBC-BF - Newton v. Leibnitz
<input type="checkbox"/>	6:05-cr-70001-KCB-BF - Newton v. Descartes et al
<input type="button" value="Next"/>	<input type="button" value="Clear"/>

Additional Cases to Receive NEFs

Email Information for Rene Descartes					
Primary E-mail Address	Format	Delivery Method	Active	In All My Cases	Additional Options
rene_descartes@planetlaw.com	HTML	Individual NEF	Yes	Yes	Additional Cases
<div>Arkl Additional Cases to Receive NEFs</div> <div>4:05-cr-70001-CBC-BF - Newton v. Leibnitz</div> <div>Enter case number and click Add to List</div> <div>Add Additional E-mail Address Return to Person Information Screen Clear</div>					

ive

To remove a case from the list, the user must select **Remove** from the *Additional Cases to Receive NEFs* dropdown list and then click on the appropriate case number. A **Remove from List** button appears, allowing the user to remove the case from the list.

There are two delivery methods for receiving NEFs: individual and summary. The delivery method of choice is selected for all the cases in the user's list. However, if the user wants to receive the opposite method of delivery for one or some cases, the user should select **Delivery Method Exceptions** from the *Additional Options* dropdown list. If the user then selects **Add** from the *Delivery Method Exceptions* dropdown list that appears, the user can select the case(s) to add for the other delivery method.

Delivery Method Exceptions Options

Primary E-mail Address	Format	Delivery Method	Active	My Cases	Additional Options
jana_dasgarcia@plawlaw.com	HTML	Individual NEF	Yes	Yes	Delivery Method Exceptions

Add Delivery Method Exceptions
The following cases will receive Summary NEF e-mails.

Select case to add to list here and click: **Add to List**

205-cv-07200 - Burnett v. Smith
405-cv-70001 - CBD-F.F. - Newman v. Leibnitz

Information Screen **Clear**

To add and configure additional e-mail addresses, the user should click the **Add Additional E-mail Address** button, which causes the *Secondary E-mail Addresses* field to appear.

Additional E-Mail Addresses Field

Primary E-mail Address	Format	Delivery Method	Active	My Cases	Additional Options
jana_dasgarcia@plawlaw.com	HTML	Individual NEF	Yes	Yes	Additional Cases

Show Additional Cases to Receive NEFs
205-cv-07200 - Burnett v. Smith
405-cv-70001 - CBD-F.F. - Newman v. Leibnitz

Secondary E-mail Addresses
Add Additional Email Address **Return to Person Information Screen** **Clear**

If the user enters a valid e-mail address, the e-mail settings options appear for modification, which works the same as for the primary e-mail address. The user can change the format, delivery method, and active settings; add additional cases, remove cases; and set delivery method exceptions for the secondary e-mail address. For all attorney users, the *Active* checkbox is available only for additional e-mail addresses. For court users, all e-mail addresses can be de-activated.

Additional E-Mail Address Options

Primary E-mail Address	Format	Delivery Method	Active	My Cases	Additional Options
jana_dasgarcia@plawlaw.com	HTML	Individual NEF	Yes	Yes	Additional Cases

Show Additional Cases to Receive NEFs
205-cv-07200 - Burnett v. Smith
405-cv-70001 - CBD-F.F. - Newman v. Leibnitz

Secondary E-mail Addresses
jdasgarcia@plawlaw.net HTML Individual NEF ☒ ☐ Click to Show/Hide Options

Add Additional Email Address **Return to Person Information Screen** **Clear**

Once the e-mail addresses have been added and configured, the user submits the changes by clicking the **Return to Person Information Screen** button.

APPENDIX D

UNITED STATES DISTRICT COURT DISTRICT OF CONNECTICUT

_____, Plaintiff

V.

_____, Defendant

Case No.

[Put case number here]

CONSENT TO ELECTRONIC NOTICE BY PRO SE LITIGANT

A. [Complete the first line for electronic notification from the court]

I, _____ hereby consent to the court
(name of pro se litigant)
using my email address, as listed below, for the purpose of sending me notification of orders and notices issued by the court.

B. [Complete the second line for electronic service from opposing counsel; DO NOT COMPLETE THIS LINE IF YOU WANT OPPOSING COUNSEL TO SEND PAPERS BY REGULAR MAIL]

I, _____ hereby consent to opposing
(name of pro se litigant)
counsel using my email address, as listed below, for the purpose of sending me papers filed with the court.

In the event I change my email provider or discontinue my email service, I will notify the court immediately of the address change so my court records may be updated.

(Name of pro se litigant, typed or printed)

Street Address

City, State, Zip Code

Telephone

email address

Date

Signature

Certificate of Service

I hereby certify that on _____ [date], a copy of foregoing "Consent to Electronic Service By Pro Se Litigant," was filed and served by mail on the following: **[insert name and address of every person served]**

Signature of pro se litigant

APPENDIX E

UNITED STATES DISTRICT COURT DISTRICT OF CONNECTICUT

SAMPLE CERTIFICATE OF SERVICE

Instructions: Where noted, counsel should insert the names of the plaintiff(s) and defendant(s), the name of the party filing the Certificate, the appropriate case number and the title of the document(s).

Plaintiff [insert name here]	)	Case No. [insert your case number and
	)	initials of the presiding judge]
v.)	
)	
Defendant [insert name here])	

I hereby certify that on [insert date here], a copy of foregoing [insert the name of document being filed] was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/ [Insert Name of Registered Attorney Making Filing]
Name of Attorney [attorney's federal bar number]
Address
City, State, Zip Code
Phone: (xxx) xxx-xxxx
Fax: (xxx) xxx-xxxx
E-mail: xxx@xxx.xxx

APPENDIX F SAMPLE NOTICE OF MANUAL FILING

The Notice of Manual Filing should be efiled using the event for the item you are filing in paper. Do not use the "Notice (Other)" event. For example, if you are filing exhibits manually, use the "Exhibit" event and attach the pdf of the Notice of Manual Filing. Mail the exhibits along with copies of the Notice of Electronic Filing and the Notice of Manual filing to the Clerks Office.

Plaintiff [insert name here]	)	Case No. [insert case number and initials of
	)	presiding judge here]
v.)	
)	
Defendant [insert name here]	)	Notice of Manual Filing

Please take notice that **[insert Name of Party]** has manually filed the **[insert Title of Document or Thing]**.

This document (or thing) **[please note which option applies and delete the other option]** has not been filed electronically because: **[mark all that apply]**

- ☐ the document (or thing) cannot be converted to an electronic format
- ☐ the electronic file size of the document exceeds 5 mb
- ☐ The document (or thing) is filed under seal pursuant to Local Rule of Civil Procedure 5(d), Local Rule of Criminal Procedure 57(b) or pursuant to 18 U.S.C. § 3006A [e.g., Motion for Expert or Other Services]

[NOTE: DISK CONTAINING PDF VERSION OF SEALED OR EX PARTE DOCUMENT IS REQUIRED UNLESS DOCUMENT CANNOT BE CONVERTED TO PDF FORMAT, DOCUMENT IS LARGER THAN 5MB OR PARTY HAS BEEN EXCUSED FROM SUBMITTING DOCUMENT IN PDF FORMAT.]

- ☐ Plaintiff/Defendant is excused from electronically filing this document (or thing) by court order.

The document (or thing) **[delete document or thing depending on which does not apply to this filing]** has been manually served on all parties.

Respectfully submitted,

/s/ [Name of Password Registrant]

Name of Password Registrant [attorney's federal bar number]

Address

City, State, Zip Code

Phone: (xxx) xxx-xxxx

Fax: (xxx) xxx-xxxx

E-mail: xxx@xxx.xxx

APPENDIX G
Notice of Electronic Availability of Civil Case File Information
CM/ECF IMPLEMENTATION
UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

The United States District Court for the District of Connecticut implemented electronic filing and case management (CM/ECF) in October 2003. **As of January 5, 2004, when filing original paper documents with the court, all counsel of record are required to supply a PDF formatted version of the document on a computer disk. Disks will be returned to counsel by mail if a return envelope is supplied or counsel may retrieve disks from the clerk's office.** As of August 2004, the court began accepting pleadings filed electronically over the internet in selected cases. The content of electronically filed pleadings are available on the Court's internet website via WebPACER. Any subscriber to WebPACER will be able to read, download, store and print the full content of electronically filed documents. However, the clerk's office will not make available electronically filed documents that have been sealed or otherwise restricted by court order. Attorneys receiving e-mail notification of filings are permitted one free access. For additional access opportunities and for other interested viewers there are minimal charges associated with case access and a WebPACER password is required.

When submitting electronic documents, **you should not include sensitive information in any document filed with the court** unless such inclusion is necessary and relevant to the case. You must remember that any personal information not otherwise protected will be made available over the internet via WebPACER. If sensitive information must be included, the following personal data identifiers **must be partially redacted from the pleading by the filer**, whether it is filed in the conventional manner (in paper) or electronically over the internet: ***Social Security numbers to the last four digits, financial account numbers to the last four digits, dates of birth to the year and names of minor children to the initials.***

In compliance with the E-Government Act of 2002, a party wishing to file a document containing the personal data identifiers specified above may file a motion requesting permission to file an unredacted document under seal. This document shall be retained by the court as part of the record. The court may, however, still require the party to file a redacted copy for the public file. In addition, exercise caution when filing documents that contain the following:

- A. Personal identifying number, such as driver's licence number;
- B. Medical records, treatment and diagnosis;
- C. Employment history;
- D. Individual financial information; and
- E. Proprietary or trade secret information.

Counsel are strongly urged to share this notice with all clients so that an informed decision about the inclusion of certain materials can be made. If a redacted document is filed, it is the **sole responsibility of counsel and the parties** to be sure that all pleadings comply with the rules of this court requiring redaction of personal data identifiers. **THE CLERK WILL NOT REVIEW EACH PLEADING FOR REDACTION.**

SPECIAL NOTICE TO SOCIAL SECURITY ATTORNEYS

You should not include sensitive information, including Social Security numbers, in documents filed electronically. It is your responsibility to provide the U.S. Attorney's Office with the Social Security number of the plaintiff upon the filing and service of a new Social Security complaint. This may be accomplished by writing to: AUSA Ann M. Nevins, U.S. Attorney's Office, 915 Lafayette Blvd., Room 309, Bridgeport, CT 06604.

APPENDIX H
Notice of Electronic Availability of Criminal Case File Documents
UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT
10/13/04

**EFFECTIVE NOVEMBER 1, 2004, DOCUMENTS FILED IN CRIMINAL CASES IN THIS COURT
WILL BE AVAILABLE TO THE PUBLIC ELECTRONICALLY.**

Electronic access applies to documents filed on or after November 1, 2004, which would have been otherwise available in paper. Documents filed prior to November 1, 2004 continue to be available, as appropriate, in paper but will not be available electronically.

You shall not include sensitive information in any document filed with the court. You must remember that any personal information not otherwise protected will be made available over the internet via WebPACER. The following personal data identifiers must be partially redacted from the document **whether it is filed in paper or electronically**:

- 1) Social Security numbers to the last four digits;**
- 2) Financial account numbers to the last four digits;**
- 3) Names of minor children to the initials;**
- 4) Dates of birth to the year; and**
- 5) Home addresses to the city and state.**

In compliance with the E-Government Act of 2002, a party wishing to file a document containing the personal data identifiers specified above may file an unredacted document under seal. This document shall be retained by the court as part of the record. The court may, however, also require the party to file a redacted copy for the public file.

Because filings will be remotely, electronically available and may contain information implicating not only privacy but also personal security concerns, **exercise caution when filing a document that contains any of the following information** and consider accompanying any such filing with a motion to seal. Until the court has ruled on any motion to seal, pursuant to Local Criminal Rule 57(b), no document that is the subject of a motion to seal, nor the motion itself or any response thereto, will be available electronically or in paper form.

- 1) any personal identifying number, such as driver's license number;
- 2) medical records, treatment and diagnosis;
- 3) employment history;
- 4) individual financial information;
- 5) proprietary or trade secret information;
- 6) information regarding an individual's cooperation with the government;
- 7) information regarding the victim of any criminal activity;
- 8) national security information; and
- 9) sensitive security information as described in 49 U.S.C. § 114(s).

All counsel are strongly urged to share this notice with all clients so that an informed decision about the inclusion of certain materials can be made. If a redacted document is filed, it is the sole responsibility of counsel and the parties to be sure that all documents and pleadings comply with the rules of this court requiring redaction of personal data identifiers.

The clerk will not review filings for redaction.